

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT:	Phillips, J.	)	ATTORNEY DOCKET:	04242373
		)		
SERIAL NO.	10/795,860	)	GROUP ART UNIT:	1614
		)		
FILED:	March 8, 2004	)	EXAMINER:	Choi, Frank
		)		
TITLE:	Novel Substituted Benzimidazole Dosage Forms and Method of Using Same			
		)		
DATE:	February 22, 2010	)	CUSTOMER NO.	26565

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Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT AND RESPONSE TO THE OFFICE ACTION OF AUGUST 21, 2009**

Dear Sir:

This communication is responsive to the Office Action dated August 21, 2009, in the above application. Applicant respectfully requests amendment of the patent application, and reconsideration and allowance of the pending claims. It is respectfully submitted that entry of the following response will place the pending claims in condition for allowance.

**PETITION FOR EXTENSION OF TIME**

Applicant hereby submits a petition for an extension of time of three (3) months for submitting a response to the Office Action dated August 21, 2009 in the above-referenced application pursuant to 37 C.F.R. § 1.136(a). A shortened statutory period of three months was set in the Office Action and expired on November 21, 2009. Thus, with a three-month extension, a response to the August 21, 2009 Office Action is timely if filed on or before February 21, 2010. In connection with this petition, please find payment in the amount of \$1,110.00 submitted herewith pursuant to 37 C.F.R. § 1.17(a)(3). If there are any additional fees due in connection with the filing of this response, please charge these additional fees (or credit any overpayment) to Deposit Account No. 13-0019.

**A Complete Listing of Claims** begins on page 2.

**Remarks** begin on page 4.

**A Conclusion** begins on page 7.